

**SUMMARY OF 2006-2007 PROPOSED LOCAL RULE AMENDMENTS
DISTRICT OF ARIZONA**

Proposed Local Rule Amendment	Note/Explanation Regarding Proposed Amendment
LRCiv 5.1(a)	Clerk's Offices; Place of Filing. Removes reference to hours of the Clerk. Such reference is more appropriately placed in LRCiv 77.1.
LRCiv 5.1(b)	Writs of Habeas Corpus. Amendment contains a corrected reference to LRCiv 77.1(c); and grammatical revisions.
LRCiv 5.4	FILING; COPY FOR JUDGE. Incorporates a reference to the court's Administrative Policies and Procedures Manual for information relating to the need to provide the judge with a copy of a pleading or other filed document. (Previously adopted by the court as an emergency amendment by General Order 05-17 to require copies of all but routine discovery notices; now amended to reference the Administrative Manual.)
LRCiv 5.5	ELECTRONIC FILING. Authorizes electronic case filing (ECF); authorizes an Administrative Policies and Procedures Manual, defines the scope of ECF, establishes registered user eligibility, registration requirements, requires password security, establishes that a registered user's system log-in and password constitute an electronic signature, and provides for service of electronic filings. (Previously adopted by the court as an emergency amendment by General Order 05-17.)
LRCiv 6.1	MOTIONS AND STIPULATIONS FOR EXTENSIONS OF TIME. New rule. Confirms that motions and stipulations for extension of time are governed by LRCiv 7.3.
LRCiv 7.1(a)(1); (b)(3); and (c)	FORMS OF PAPERS. Requires that documents filed electronically include the filer's e-mail address; requires that proposed orders submitted electronically omit the date and signature block; and requires that documents filed electronically be submitted in a Portable Document Format (PDF). (Previously adopted by the court as an emergency amendment by General Order 05-17.)
LRCiv 7.1(b)(1)	Pleadings and Other Papers. Language added to require pagination of pleadings, motions, and other original papers.
LRCiv 7.2(a)	Motions Shall be in Writing. Language added to clarify that the time for filing motions may be governed by the Court's scheduling order.

LRCiv 7.2(h)	Telephone Argument and Conferences. Amendment qualifies the manner of scheduling conference calls.
LRCiv 7.2(i)	Briefs or Memoranda of Law; Effect of Non-Compliance. Clarifies that an unrepresented party or counsel's failure to appear at oral argument may result in discretionary summary disposition of the moving party's requested relief.
LRCiv 7.2(l)	Pending Motions Notification. Removes the requirement that counsel inquire every 14 days, after 180 days have lapsed, regarding the status of a motion pending before the court.
LRCiv 7.3	MOTIONS/STIPULATIONS FOR EXTENSIONS OF TIME. Amendment deletes first two sentences of subpart (a) as duplicative of federal rules and incorporates some stylistic changes to subparts (a) and (b) that allow for the elimination of subpart (c). Also renumbers existing subpart (c) as (d).
LRCiv 7.4	FAILURE TO APPEAR. Deleted as duplicative of LRCiv 7.2(i)
LRCiv 15.1	MOTIONS FOR LEAVE TO AMEND PLEADINGS. Rule title amended. Subheader title of LRCiv 15.1(a) deleted and renumbers existing subparts as (a), (b), and (c).
LRCiv 56.1	MOTIONS FOR SUMMARY JUDGMENT. Requires the moving party to file a statement of facts independent of its motion and the responding party to file a controverting statement of facts, separate from its response. The alternative, a stipulated joint statement of facts, remains intact and is placed in a new subpart (c). Subpart (b) remains intact and is renumbered as a new subpart (d). A new subpart (e) requires that memoranda of law filed in support of or in opposition to a motion for summary judgment, including reply memoranda, shall include citations to the specific paragraphs in the statement of facts that support factual assertions made in the memoranda.
LRCiv 67.1(a) (1), (2), and (4)	INVESTMENT OF FUNDS ON DEPOSIT IN THE REGISTRY ACCOUNT. Minor technical changes in the form of grammatical revisions.
LRCiv 77.1(a) and (d)	LOCATIONS; HOURS OF CLERK'S OFFICES. Adds "Hours of Clerk's Offices" to title. Removes the word "unofficial" in subpart (a) regarding the divisions of the district. Adds new subpart (d) regarding the hours of Clerk's Offices.

LRCiv 79.1(a), (b), (c), and (f)	CUSTODY AND DISPOSITION OF NON-ELECTRONICALLY SUBMITTED EXHIBITS, ADMINISTRATIVE RECORDS, AND SEALED DOCUMENTS. Rule title amended to reference non-electronically submitted exhibits and administrative records. Clarifies that non-electronically submitted administrative records in Social Security cases and other cases reviewed under the Administrative Procedure Act will be returned to counsel at the conclusion of the action, including any appeal, unless otherwise ordered by the court. Requires that parties to an appeal file with the clerk any non-electronically submitted exhibits for transmission to the appellate court. Clarifies disposition procedures for non-electronically submitted exhibits and administrative records. Also includes some stylistic changes to subpart (f).
LRCiv 83.1(c)	Subscription to Court Electronic Newsletters. Imposes a new requirement that all registered users of ECF subscribe to the court's electronic newsletter. This new subpart results in the renumbering of the remaining subparts of this rule.
LRCiv 83.3(a) and (d)	APPEARANCE BY ATTORNEY OR PARTY; NAME AND ADDRESS CHANGES; CONTROL OF CAUSE. Requires that notice of attorney substitution contain the e-mail address of the attorney substituting, and requires notice to the court of any change in e-mail address. Also requires attorneys to update their automated registration data if their name, address, e-mail, firm, or address changes, as well as to file a written notice of such change. (Previously adopted by the court as an emergency amendment by General Order 05-17.) <i>Note: A portion of subpart (a) has been relocated to subpart (b) as new paragraph (4) in light of an amendment to subpart (a) as described below.</i>
LRCiv 83.3(b) and (b)(4)	Withdrawal and Substitution. Allows for a notice to operate as an order of substitution when an attorney is substituted within the same organization or firm. Also relocates the second paragraph of subpart (a), beginning with the fourth sentence therein, to subpart (b), new paragraph (4).
LRCiv 83.4(f)(1) and (5)	Permitted Student Activities. Deletes a reference to a nonexistent form and incorporates minor technical changes for clarity.
LRCrim 12.1	FORMS OF PAPERS AND MOTIONS - cross references LRCiv 7.1 and 7.2. (Previously adopted by the court as an emergency amendment by General Order 05-17.)
LRCrim 16.4(a) and (b)	COMPLEX CASES. Allows a defendant to seek a declaration of a complex case after arraignment, if facts or grounds are discovered in support of a finding that it is complex.
LRCrim 46.1(a)	Bonds Taken by Magistrate Judges. Clarifies that the investment of funds received in criminal cases are subject to deposit in the court's registry account as provided by LRCiv 67.1

LRCrim 47.1	FORMS OF PAPERS AND MOTIONS - cross references LRCiv 7.1 and 7.2. (Previously adopted by the court as an emergency amendment by General Order 05-17.)
LRCrim 49.3	ELECTRONIC FILING AND SERVICE - cross references LRCiv 5.5. (Previously adopted by the court as an emergency amendment by General Order 05-17.)
LRCrim 56.1	HOURS OF CLERK'S OFFICES. New rule. Incorporates a cross-reference to LRCiv 77.1(d) regarding hours of Clerk's Offices.

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